Numb. 1117.

The Daily Courant.

Monday, November 12. 1705.

London, November 10,

The Caſe of the Coadjutorſhip of Lubeck in 1704. Written on the ſide of the Houſe of Holſtein-Gottorp.

IN 1647 an Agreement was made between the moſt ſerene Houſe of Holſtein-Gottorp and the Chapter of Lubeck; by which the Chapter, in Conſideration of the Pains and Expence the Houſe of Gottorp had been at to ſave them from being ſeculariz'd, engag'd to take 6 Biſhops ſucceſſively of that Houſe. This Agreement has been treated, by a Writing publiſh'd ſome Months ago, as ſuppoſitious, or at leaſt contrary to the Canon Laws, and as extinguiſh'd long ago; whence the Author infers, that neither the King of Denmark, nor the Guarantees of the Treaty of Travendahl in which this Affair was regulated, are under any Obligation concerning it. This bold Poſition was preſently refuted by a Piece that clearly proves the contrary.

The adverſe Party ſeeing that Battery ruin'd, have rais'd another. The Danes having made ſeveral Attempts to diſturb the Houſe of Gottorp in their Right acquir'd by the ſaid Agreement, and actually doing ſo at preſent, are juſtly apprehenſive the Guarantees will be requir'd to execute the Guaranty, and that they will execute it accordingly, ſufficient Cauſe being given by Prince Charles of Denmark's taking upon him the Title of Coadjutor, and the Danes acknowledging him as ſuch. To ward off this Blow, they have bethought themſelves of pleading, That the Affair is in Suit before the Aulick Council; and this they endeavour to prove by ſome Proceedings of the Court of Vienna, and by Orders of his Imperial Majeſty iſſued in Conſequence of thoſe Proceedings; whence they conclude, that 'twould be interrupting the Courſe of Juſtice for the Guarantees to meddle in the Matter, before the Aulick Council have pronounc'd a deciſive Sentence.

But to this 'tis anſwer'd, That the Houſe of Gottorp has never engag'd in any Suit with Denmark on this Subject before his Imperial Majeſty. And if before the Peace of Travendahl they carry'd any Proceſs before the Aulick Council, 'twas a Proceſs only between the ſaid moſt ſerene Houſe and the Chapter, when at the Inſtigation of the Danes ſome Canons endeavour'd to diſengage the ſaid Chapter from the Obligation contracted by the ſaid Agreement.

What is more, his Imperial Majeſty having ſeen the Engagement the Chapter had entred into, did not only approve and confirm it, but by his Reſcript of July 28. 1700. mark'd (A.) expreſly order'd them to execute it by proceeding without Delay to the Nomination of a Prince of the ſaid Houſe to the Coadjutorſhip. Immediately after, that is to ſay in Auguſt the ſame Year, the Peace of Travendahl was made. And the Guarantees and Mediators being well inform'd of all that Denmark had done to that Time to deprive the Houſe of Gottorp of their Right to the ſaid Biſhoprick, and deſiring to obviate the Troubles that threaten'd the Circle of lower Saxony, engag'd Denmark to promiſe by that Treaty not to diſturb directly or indirectly the Houſe of Gottorp in the ſaid Right.

But that Promiſe was ſoon forgot, for the Year following, when the Chapter in purſuance of the foreſaid Order of his Imperial Majeſty, proceeded to the Nomination of a Coadjutor, the Danes ſo manag'd the Matter that after his Highneſs the moſt ſerene Prince Chriſtian Auguſtus of Sleſwig Holſtein was nominated in the Chapter, and ſome of the Canons were gone away, others of them aſſembled in a private Houſe and proclaim'd Prince Charles of Denmark Coadjutor, againſt his Imperial Majeſty's expreſs Order.

Denmark preſently made Application to the Aulick Council, to have that pretended Election confirm'd, and obtain'd a Citation to be ſent to the Duke at that Time Regent to repair to Vienna to defend the Cauſe of the Prince his Brother.

The Duke caus'd a Repreſentation to be made to the Imperial Court, that the Engagement the King of Denmark had enter'd into by the Peace of Travendahl, did not allow him to meddle in any manner with that Affair, that it was fully decided by the ſaid Peace, and that therefore it could not be ſubjected to a new Deciſion. He beſought his Imperial Majeſty to forbid the Aulick Council, to take Cognizance of it: and ſolemnly proteſted againſt all that the ſaid Council had done or might do in it: And remonſtrated beſides to his ſaid Majeſty that the Nomination of the Prince his Brother was conformable to his Order, namely to that of July 28. 1700. beforemention'd, and that therefore his Majeſty was doubly oblig'd to maintain it.

Accordingly his Impeiral Majeſty having maturely and thoroghly conſider'd the Caſe, did on the 3d of June 1702. declare himſelf upon it, in the Manner that appears by the Piece mak'd (B.) And there the Matter reſts.

From all this 'tis evident, that 'tis no longer a Cauſe depending before the Aulick Council, and therefore that no Deciſion is to be expected from that Council, ſeeing his Imperial Majeſty has expreſly declar'd he will abide by his Order contain'd in tde Reſcript beforemention'd, and likewiſe by what was afterwards ſtipulated in the Treaty of Travendahl. So that this *Lis pendens* (or Suit depending) alledg'd by the Danes, is no better founded than the pretended Non-Exiſtence of the Agreement of 1647.

But ſuppoſing it had a Foundation, and that Denmark could prevail with the Emperor, contrary to his natural Equity to refer to a new Tryal a Cauſe already adjudg'd and finally decided; it would not follow from thence that the Guarantees ought not to meddle in it; on the contrary that is one of the Caſes requiring the Interpoſition of the Guaranty. Denmark promis'd by the Treaty of Travendahl not to diſturb the Houſe of Gottorp in this Right directly or indirectly; and yet by their own Confeſſion they are doing it, by inſiſting that there juſtly lyes before the Aulick Council a Suit directly tending to deprive that Houſe of that Right.

And after all, what Security would that Treaty be to the Houſe of Gottorp, if the Execution of it was to depend on the Determination of the Aulick Council; and if the Guarantees were diſcharg'd from all Obligation to maintain that Treaty, as ſoon as it ſhould pleaſe Denmark to ſummon the ſaid Houſe before that Court.

Wherefore the Family of Gottorp hope they will not ſuffer themſelves to be diverted from the Execution of what they ſo ſolemnly promis'd. And 'tis high Time for them to take a firm Reſolution upon it, if they would prevent the Troubles which otherwiſe will ariſe from this Affair in the Circle of the lower Saxony.

(A.) The Reſcript of his Imperial *Majeſty* to the Chapter of Lubeck, dated July 28. 1700.

Leopold, &c.

YOU cannot but remember what we have caus'd to be written to you from Time to Time touching the Electing of a Coadjutor of Lubeck, and particularly that we annull'd whatever you had done about it in that Compaſs of Time. But having ſince underſtood, as well by your moſt humble Letter of the Year 1689, as by the Remonſtrances that have been

been made to us on the Part of the Duke of Holstein Gottorp now Regent, that you had before resolv'd in 2 General Assemblies to choose a Prince of the House of Holstein Gottorp; that House having thereby acquir'd a lawful Right, Justice forbids we should take away that Right by our said invalidating (or annulling) Rescript: And as we cannot suffer the House of Holstein Gottorp to be longer depriv'd of the Benefit of that Right, we judge it necessary, considering the great Age of your Bishop, that by the Nomination of a Prince of the said House of Gottorp, you put in Execution your 2 foremention'd Resolutions; which by these Presents we declare to be a free and canonical Election, and which we approve, confirm, agree to, and will always maintain. We revoke and annull our invalidating Rescript aforesaid, and most expressly command you, to proceed without delay to the Nomination of the Person, that is to say, of one of the 2 Princes now living of the House of Holstein Gottorp, to be Coadjutor and presumptive Successor of the Bishop of Lubeck; as likewise to acquaint us as soon as may be that the same is done, and not to suffer yourselves to be diverted from it in any manner. In which you will do what is conformable to your Resolutions maturely taken, advantagious to the Bishoprick, founded on the Cannon Laws the Peace of Westphalia and plain Equity, and to our Will and express Commmand. Vienna, July 28 1700.

LEOPOLD. *Caunitz*
Menschenger.

(B.) The Imperial Decree of the 3d of June 1702. Given as an Answer to the Baron de Goertz.

HIS Imperial Majesty having maturely examin'd the most humble Remonstrances that have been made to him by the Baron de Goertz, on the Part of the Duke of Holstein Gottorp upon the Subject of the Coadjutorship of Lubeck; and calling to Mind the Resolutions already pass'd on that Affair the 28th of July 1700 by his Aulick Council, as also what has been concluded and agreed about it by the Treaty of Peace of Travenhahl, of which he himself, with other Potentates, has promis'd to be Guarantee; His Imperial Majesty declares he will abide by the same, and do nothing contrary thereto to the Prejudice of the House of Holstein Gottorp; but will rather maintain that House in the Right it has thereby acquir'd; and also signify to his Aulick Council that such is his Intention. His Majesty orders besides, that this be communicated to the said Baron de Goertz, for the greater Security of the Duke of Holstein Gottorp. Done at Laxembourg the 3d of June 1702. Sign'd *Caunitz*, and lower *Cansbauk*. And seal'd with the Imperial privy Seal.

London, Novenber 12.

On Saturday 2 Mails arriv'd from Holland.

From the Amsterdam Gazette, dated November 17.

'Tis advis'd from the Trentin, that the Imperial Army continued encamp'd at Fontanella the 30th of October. And, that the Duke of Venoome having receiv'd a Reinforcement of 5000 Men from Piemont, was marching towards Dezenzano, with Design ('twas suppos'd) to prevent Prince Eugene's receiving the Succours that are coming to him from Germany.

From the Amsterdam Gazette, dated November 13.

From the Imperial Camp at Mitersheim, dated November 6. The Enemy's Army continuing in their Camp, our Army will not go into Winter Quarters till theirs has separated. The Marshal de Villars causes the Peasants Horses to be taken up, for remounting his Cavalry; and has summon'd in a great Number of Waggons, for what Design is not yet known. The Palatin and Prussian Troops that march'd from hence towards Homburg, stop'd near Landau, the Prussians having receiv'd Orders to return into the Territories of Brandenburg, to quarter there this Winter. 'Tis talk'd the Siege of Homburg will be put off to another Time.

From the Amsterdam Gazette, dated November 17.

From the Imperial Camp at Bischweiler, November 9. The Army is come to encamp here and at Haguenau till the End of the Campaign. A Detachment of Imperial Troops is sent to join the Palatines and advance with them to Homburg, in the Room of the Prussians.

The Advices of the 11th of November from Francfort, (in the Dutch Courants) are, that the Siege of Homburg is put off to another Time.

From the Paris Gazette, dated November 14.

Madrid, October 28. Letters from Saragossa of the 22d Instant advise, that Prince Tserclaes having made himself Master of Alcanniz, had caus'd all those that were concern'd in the Revolt to be disarm'd; and that he had driven the Rebels out of the Town of Calanda, in which 30 of them were kill'd and 50 made Prisoners. He had sent 200 more of the Forces of Saragossa, and 2 of those of Huesca, at whose Approach the revolted Catalans that were besieging Maella retir'd. Some of those Catalans have been and carry'd from Monroy the Marquis de Santa Coloma, and one of his Daughters, to keep them as Hostages. Others being got among the Mountains, Endeavours are us'd to hinder their supplying themselves with Provisions; and the Count de Sant Isteyan, and de Guara having driven them out of the Venasque and the Valley of Aran, are gone in Pursuit after them towards Balbastro. The 21st Don Joseph de Sorabaru arriv'd from Pampelona at Saragossa, with 5 Pieces of Cannon and 80 Waggons loaded with Arms and Ammunition, which are gone on to Catalonia. The other Artillery and Ammunition arriv'd from Castile, is embark'd on the Ebro to be carried to Caspe. Letters from Catalonia and from the Frontier, say Barcelona defended it self the 16th with the same Vigour as in the beginning of the Siege; That Prince Tserclaes had driven the Rebels out of Batea, and put a Garrison of Aragonians into Alcanniz, where Colonel Don Juan Antonio Montenegro was arriv'd with his Regiment of Horse; other Regiments were advancing from several Parts, and 'twas hop'd all would soon be in a Condition to enter upon Action.

Hague, November 17. 'Notwithstanding the Publick Advices from France say Barcelona held out the 16th of October; Letters that came this Morning to several Ministers here, say a Courier that left Spain the 2d of this Month arriv'd at Marli the 12th, and soon after his Arrival the King of France declar'd the Place had surrender'd. These Letters say likewise, that the Garrison began to capitulate the 4th of October, but the Viceroy Don Francisco de Velasco refusing obstinately to acknowledge King Charles III. by letting the Articles run in his Name, the Matter hung till the 10th, when the Articles being drawn up in the Earl of Peterborough's Name, were sign'd; And the Garrison march'd out the 14th to be conducted to Alicant. But most of them took Service under King Charles III. 'Tis advis'd from Vienna, that the Ministers, Mediators of an Accomodation in Hungary, were magnificently receiv'd by the Deputies of the Malecontents at Tirnau. The said Mediators having left Papers with those Deputies, to be consider'd by them 8 Days, are returned to Vienna to confer with the Duke of Marlborough, and will go back to Tirnau. His Grace was not arriv'd at Vienna when the last Letters came away. The King of Denmark stays for the Return of an Express he has sent to the Court of Vienna, before he let his Troops enter upon Action in Holstein.

In the Courant of Friday last, the 50th Line of the 3d Column, for *it was* read *they were*. In that of Saturday, the 46th Line of the 2d Column for *alengag'd* read *engag'd*; and in the last Line but 2 of the 3d Column, after *grounded* add *on*.

AT the Theatre Royal in Drury-Lane, this present Monday, being the 12th of November, will be presented, a Comedy, call'd the Emperor of the Moon. With Singing by Mr. Leigh, Mr. Ramondon and the Boy, and Dancing by Mr. Laforest, Mrs. Moss, and others. With the Addition of an extraordinary Scene taken out of an Opera, call'd, The Virgin Prophetess, being the Changes in the Dome. And to morrow being Tuesday (at the Desire of several Persons of Quality,) will be presented the Tragedy of Macbeth.

AT the Queen's Theatre in the Hay-Market, this present Monday, being the 12th of November, will be presented, a Comedy, call'd, The Amorous Widow: or the Wanton Wife. The Part of Barnaby Brittle to be perform'd by Mr. Bogget. With Dancing by Mrs. Elford.

LONDON: Printed, and Sold by *Sam. Buckley* at the *Dolphin* in *Little-Britain*.